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PATENT
ATTORNEY DOCKET NO. 44481-5029-02-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Daniel R. STORM *et al.*

Application No.: 10/071,223

Filed: February 11, 2002

For: CLONING AND CHARACTERIZATION
OF A HUMAN ADENYLYL CYCLASE

Group Art Unit: 1652

Examiner: Unassigned

Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. 1.56 and 1.97(b), Applicants brings to the attention of the Examiner the documents listed on the attached PTO-1449 form. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due with the filing of this paper.

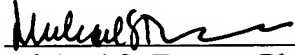
Copies of the listed documents were previously cited or submitted in related Application No. 09/473,717, filed December 29, 1999, now U.S. Patent No. 6,372,475. Therefore, in accordance with 37 C.F.R. § 1.97 and 37 C.F.R. § 1.98(d), no copies of the documents are being submitted herewith. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment, to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Dated: September 11, 2002

By: 
Michael S. Tuscan, Ph.D.
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